

Susan Stoehr Beytes,)	C/A No. 8:18-297-CMC
)	
Plaintiff,)	
)	
v.)	
)	OPINION & ORDER
Nancy A. Berryhill,)	
Acting Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	
)	

The Report, filed on January 17, 2019, recommends that the decision of the Commissioner be reversed and the case remanded for further administrative action. ECF No. 22. On January 30, 2019, Defendant filed notice that she would not file objections to the Report. ECF No. 24.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or

recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). The court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

The court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. Finding none, the court adopts and incorporates the Report by reference. For the reasons set forth therein, the decision of the Commissioner is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative action.¹

IT IS SO ORDERED.

s/Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
January 31, 2019

¹ The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.